



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

Promoting the wise use of land  
Helping build great communities

**SUBDIVISION REVIEW BOARD**

|   |  |   |   |
|---|--|---|---|
| MEETING DATE<br>February 1, 2016  | CONTACT/PHONE<br>Jo Manson (805) 781-4660<br>jmanson@co.slo.ca.us  | APPLICANT<br>Mid-State Properties,<br>LLC                     | FILE NO.<br>CO 06-0016<br>SUB2005-00176 |
| <b>SUBJECT</b><br>A request for a <b>first time extension</b> by <b>MID-STATE PROPERTIES, LLC</b> for a Vesting Tentative Parcel Map (CO 06-0016), Development Plan and Coastal Development Permit to subdivide an existing 9,657 square foot parcel and create a planned development consisting of three parcels of 2619, 3613 and 3425 square feet for the purpose of constructing three single-family residences consisting of approximately 1780, 2127, and 1966 square feet, including garages. The existing residence would be demolished. The project includes off-site road improvements to Mendel Drive, Air Park Drive, and Railroad Street, and a vacation of 10 feet of Air Park Drive and 3 feet of Mendel Drive along the property frontage. The project will result in the disturbance of the entire parcel (9,657 square feet). The proposed project is within the Residential Multiple Family land use category and is located on the northwest corner of Railroad Street and Air Park Drive, approximately 500 feet south of Pershing Drive, in the community of Oceano. The site is in the San Luis Bay (Coastal) planning area. |  |   |   |
| <b>RECOMMENDED ACTION</b><br>Approve the <b>first time extension request</b> for Vesting Tentative Parcel Map CO 06-0016, Development Plan and Coastal Development Permit.  |  |   |   |
| <b>ENVIRONMENTAL DETERMINATION</b><br>A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on October 5, 2006 for this project. The Negative Declaration was approved by the Subdivision Review Board on December 4, 2006.   |  |   |   |
| <b>LAND USE CATEGORY</b><br>Residential Multi-Family  | <b>COMBINING DESIGNATION</b><br>Airport Review, Archaeologically Sensitive, Local Coastal Plan, Small Scale Neighborhood, Coastal Appealable | <b>ASSESSOR PARCEL NUMBER</b><br>061-041-016                  | <b>SUPERVISOR DISTRICT(S)</b> : 4       |
| <b>PLANNING AREA STANDARDS</b> : A. Oceano Specific Plan, B. Curb, Gutter and Sidewalk, C. Airport Review Area<br><i>Does the project conform to the Planning Area Standards - Yes</i>  |  |   |   |
| <b>LAND USE ORDINANCE STANDARDS</b> : Ch. 23. – Development Standards (Fencing, screening, density, solid waste collection); Ch. 23. – Landscaping; Ch. 23. – Parking; Section 23.04.028 Residential Multi-Family Subdivision Design – 15 units per acre; 48% maximum floor area; 45% minimum open space; planned development – Common Area and Homeowners Association per CC&R's   |  |   |   |
| <b>EXISTING USES</b> : Single family residence  |  |   |   |
| <b>SURROUNDING LAND USE CATEGORIES AND USES</b> :<br>North: Commercial Retail / Mendel Drive<br>South: Residential Multi-Family / residences, Air Park Dr.<br>East: Commercial Service / Railroad St., Hwy 1<br>West: Residential Multi-Family / residences   |  |   |   |
| <b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT</b> :<br>Vesting tentative parcel map, development plan and coastal development permit were originally referred to Oceano/Halcyon Advisory Group, Public Works, Environmental Health, County Parks, Airport Land Use Commission, Oceano Community Services District, Air Pollution Control District, Caltrans and the Regional Water Quality Control Board   |  |   |   |
| <b>TOPOGRAPHY</b> :<br>Gently sloping   |  | <b>VEGETATION</b> :<br>Landscape trees and shrubs, vegetation |   |
| <b>PROPOSED SERVICES</b> :<br>Water supply: OCSD – community system<br>Sewage Disposal: OCSD - community septic system<br>Fire Protection: OCSD   |  | <b>ACCEPTANCE DATE</b> :<br>N/A                               |   |
| <small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:<br/>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>  |  |   |   |

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 06-0016 and development plan/coastal development permit were approved by the Subdivision Review Board on December 4, 2006 and were set to expire on December 4, 2015. On December 4, 2015, the applicant requested the **first one year time extension and paid the extension application fee**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related development plan if it is required as a part of the subdivision process).

Vesting Tentative Parcel Map (CO 06-0016) is a request by Mid-State Properties, LLC for a vesting tentative parcel map, development plan and coastal development permit to subdivide an existing 9,657 square foot parcel and create a planned development consisting of three parcels of 2619, 3613 and 3425 square feet for the purpose of constructing three single-family residences consisting of approximately 1780, 2127, and 1966 square feet, including garages. The existing residence would be demolished. The project includes off-site road improvements to Mendel Drive, Air Park Drive, and Railroad Street, and a vacation of 10 feet of Air Park Drive and 3 feet of Mendel Drive along the property frontage. The project will result in the disturbance of the entire parcel (9,657 square feet). The proposed project is within the Residential Multiple Family land use category and is located on the northwest corner of Railroad Street and Air Park Drive, approximately 500 feet south of Pershing Drive, in the community of Oceano. The site is in the San Luis Bay (Coastal) planning area.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was December 4, 2008. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 06-0016 was extended to December 4, 2009.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 06-0016 was extended to December 4, 2011.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 06-0016 was extended to December 4, 2013.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 06-0016 was extended to December 4, 2015.

### **Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to December 4, 2016 subject to the conditions of approval set by the Subdivision Review Board on December 4, 2006.

### **ATTACHMENTS**

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, December 4, 2006

Report prepared by Jo Manson  
and reviewed by Terry Wahler, Senior Planner